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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,986	06/14/2001	Julian Schroeder	19452A-001210US	9824

20350 7590 03/19/2003

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EXAMINER

BAUM, STUART F

ART UNIT	PAPER NUMBER
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1638

DATE MAILED: 03/19/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

The amendment filed on 1/13/03 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03).

The remaining claims are not readable on the elected invention because the new claims are drawn to a method comprising silencing the expression of the endogenous ABH1 polynucleotide. The original claims were drawn to a method comprising overexpressing a nucleic acid sequence encoding an ABH1 polypeptide. The original claims were not drawn to overexpressing a sequence that is complementary to SEQ ID NO:1 (claim 28) and as such would act to silence the endogenous gene.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stuart Baum whose telephone number is (703) 305-6997. The examiner can normally be reached on Monday-Friday 8:30AM – 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amy Nelson can be reached on (703) 306-3218. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3014 or (703) 305-3014 for regular communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist, who may be contacted at 308-0196.

Stuart F. Baum Ph.D.

March 14, 2003


ELIZABETH F. McELWAIN
PRIMARY EXAMINER
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